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Casey retracts threat to sue media for divulging secrets

By Rita McWilliams
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A CIA Director William Casey yesterday backed off his threat to prosecute The Washington Times and other major news outlets for publishing secrets he claims "destroyed or seriously damaged" U.S. intelligence-gathering abilities.

"Where there already has been public disclosure about communications intelligence, the law has been violated but the milk has been spilled," Mr. Casey said. "I would not, therefore, at this time favor action for these past offenses."

But he said those laws "must be enforced" in the future "if we are to protect our security as a nation and the safety of our citizens in this age of international terrorism."

On another point, Mr. Casey said that since the bombing last month that killed one U.S. soldier in a Berlin discotheque, the CIA discovered "compelling evidence" that four other nightclubs U.S. servicemen frequent were terrorist targets.

Those nightclubs were in Spain, Turkey and Germany, and the planned raids were designed to inflict "maximum casualties," he said.

Mr. Casey's remarks in a luncheon address before the American Jewish Committee (AJC) represented his first public statement on a flap that arose after he met with Washington Post editors earlier this month and warned them against publishing a story he claimed would violate laws against disclosing intelligence data.

Mr. Casey told the Post editors that the Reagan administration was considering criminal charges against The Post, The Times, Newsweek and Time magazines — and, by some accounts, The New York Times — for what he called then "absolutely cold violations" of a 1950 statute prohibiting "knowingly and willfully" publishing classified information about "communication intelligence activities of the United States or any foreign government."

Mr. Casey's retreat yesterday got him and the administration off a public relations hook

— Justice Department and White House officials have avoided public comment on his threat to seek prosecution. In private, they have dismissed the idea as unsound.

His tactical retreat notwithstanding, Mr. Casey said disclosures of secrets by the press "is a severe problem we must address if our fight against terrorism is to succeed."

"In recent years, publication of classified information has destroyed or seriously damaged intelligence sources of the highest value," he said. "Every method we have of acquiring intelligence — our agents, our relationships with other security services, our photographic and electronic capabilities, the information we get from communications — has been damaged by the publication of unauthorized disclosures."

Mr. Casey told the AJC that the laws he was citing protect "a very narrow segment of information dealing with communications intelligence."

He said communications intelligence would include such information as Libyan communications the United States intercepted relating to the bombing of the Berlin disco, since disclosure of the intercept would indicate what U.S. code-breaking capabilities were.

President Reagan later offered details of those communications, but only after they were disclosed by the press, he said.

Mr. Casey said there are ways reporters can inform the public without disclosing national secrets.

Much talk at the 80th anniversary meeting of the AJC centered on administration plans to lobby Jewish leaders to support an arms sale to Saudi Arabia. In response to a question, Mr. Casey said, "Saudi Arabia does cooperate with other countries in dealing with the terrorist threat."

"Moderate Arab countries are the best defense ... [and] they are very helpful to our efforts," he said.

Mr. Casey noted the United States needs all the help it can get against terrorists, who he said "are everywhere, moving silently across borders, and attacking with as much stealth and surprise as they can manage."